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APR 21 2004

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T : Julian W. Woo, Group Art Unit 3731VIA FACSIMILE  
(703) 872-9306

April 21, 2004

Re: Applicant(s): Vargas, Jaime; et. al.  
 Assignee: Cardica, Inc.  
 Title: Device for Cutting and Anastomosing Tissue  
 Serial No.: 09/989,055  
 Examiner: Julian W. Woo  
 Docket No.: 032405-065  
 Filed: November 22, 2001  
 Group Art Unit: 3731

Dear Examiner Baxter:

Transmitted herewith are the following documents in the above-identified application:

- (1) This Transmittal Letter; and  
 (2) Response to Office Action.

- ☒ No additional fee is required.  
☐ The fee has been calculated as shown below:

CLAIMS AS AMENDED

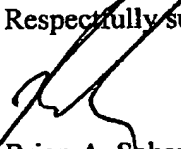
	<u>Claims Remaining After Amendment</u>		<u>Highest No. Previously Paid For</u>		<u>Present Extra</u>	<u>Rate</u>	<u>Additional Fee</u>
Total Claims	25	Minus	27	=	0	x \$9	\$ 0.00
Independent Claims	5	Minus	5	=	0	x \$43	\$ 0.00
<input type="checkbox"/>	Fee of _____ for the first filing of one or more multiple dependent claims per application						\$
<u>Total additional fee for this Amendment:</u>							\$ 0.00
<input checked="" type="checkbox"/>	Conditional Petition for Extension of Time: If an extension of time is required for timely filing of the enclosed document(s) after all papers filed with this transmittal have been considered, an extension of time is hereby requested.						
<input type="checkbox"/>	Please charge our Deposit Account No. 502108 in the amount of						\$ 0.00
<input checked="" type="checkbox"/>	Please charge any additional fees required and credit any overpayment to our Deposit Account No. 502108.						
<b>Total:</b>							\$ 0.00

Certificate of Transmission

I hereby certify that this correspondence is being  
 facsimile transmitted to the U.S Patent and Trademark  
 Office (Fax No. (703) 872-9306) on April 21, 2004.

  
 Brian Schar

Respectfully submitted,

  
 Brian A. Schar  
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 Reg. No. 45,076

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Vargas, Jaime; et. al.  
Assignee: Cardica, Inc.  
Title: Device for Cutting and Anastomosing Tissue  
Serial No.: 09/989,055 Filing Date: November 22, 2001  
Examiner: Julian W. Woo Group Art Unit: 3731  
Docket No.: 032405-065

April 21, 2004

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**RESPONSE TO OFFICE ACTION**

This communication is in response to the Office Action of March 24, 2004.